

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FRANCIS X. TIERNEY,)
)
Plaintiff,)
)
v.) C.A. No. 04-10518-RGS
)
)
CITY OF BOSTON,)
)
Defendant.)

STIPULATION OF DISMISSAL WITH PREJUDICE

Plaintiff to the above action Francis X. Tierney and the Defendant City of Boston hereby stipulate, pursuant to Fed.R.Civ.P. 41(a)(1), to dismissal with prejudice, waiving all costs and any and all rights of appeal.

FRANCIS X. TIERNEY

By his attorney,

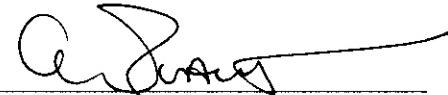


Michael Williams - BBO# 634062
LAWSON & WEITZEN, LLP
88 Black Falcon Avenue, Suite 345
Boston, MA 02110-1736
(617) 439-4990

DATED: 1/14/05

CITY OF BOSTON
MERITA A. HOPKINS
CORPORATION COUNSEL

SPECIAL OUTSIDE COUNSEL



Christine M. Roach - BBO #421630
ROACH & CARPENTER, P.C.
24 School Street
Boston, MA 02108
(617) 720-1800

DATED: 1/14/05